

AMENDED IN SENATE JULY 7, 1997  
AMENDED IN SENATE JUNE 23, 1997  
AMENDED IN ASSEMBLY JUNE 2, 1997  
AMENDED IN ASSEMBLY MAY 6, 1997  
AMENDED IN ASSEMBLY APRIL 21, 1997  
AMENDED IN ASSEMBLY MARCH 31, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1297**

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**Introduced by Assembly Member Morrow  
(Principal coauthor: Assembly Member Machado)  
(Coauthor: Assembly Member Papan)**

February 28, 1997

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An act to add Section 39831.3 to the Education Code, and to amend Section 22112 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1297, as amended, Morrow. Vehicles: schoolbuses.

(1) Existing law requires the State Board of Education to adopt reasonable regulations relating to the use of schoolbuses by school districts and others and requires the Department of the California Highway Patrol to adopt regulations relating to the safe operation of schoolbuses, as specified.

This bill would require the county superintendent of schools, the superintendent of a school district, or the owner or operator of a private school that provides transportation to

or from a school or school activity to prepare a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of pupils, as prescribed. The bill would require a copy of that plan to be submitted to the department.

(2) Existing law requires the driver of a schoolbus to operate a flashing amber light warning system on the approach to a schoolbus stop where pupils are loading or unloading from the bus and must cross a highway or private road and to operate flashing red signal lights and a stop signal arm at all times when the schoolbus is stopped for the purpose of loading or unloading pupils who must cross a highway or private road upon which the schoolbus is stopped. Existing law authorizes a school district to designate selected schoolbus stops as stops that may require the activation of the flashing red signal lights even though there are no pupils crossing the roadway, as prescribed.

This bill would repeal that schoolbus stop designation authority of a school district, and, instead, require the driver of a schoolbus to operate the specified warning lights and signs on the approach to the above described schoolbus stop and at all times when the schoolbus is stopped for the purpose of loading or unloading pupils, regardless of whether the pupils must cross the highway or private road.

(3) *The provisions of this bill would be known as the Thomas Edward Lanni Schoolbus Safety Act of 1997.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. *This act shall be known and may be cited*  
2 *as the "Thomas Edward Lanni Schoolbus Safety Act of*  
3 *1997."*

4 SEC. 2. Section 39831.3 is added to the Education  
5 Code, to read:

6 39831.3. (a) The county superintendent of schools,  
7 the superintendent of a school district, or the owner or  
8 operator of a private school that provides transportation  
9 to or from a school or school activity shall prepare a

1 transportation safety plan containing procedures for  
2 school personnel to follow to ensure the safe transport of  
3 pupils. The plan shall be revised as required. The plan  
4 shall include, but shall not be limited to, detailed  
5 procedures for ~~one or more~~ all of the following:

6 (1) Determining if pupils require escort pursuant to  
7 paragraph (3) of subdivision (c) of Section 22112 of the  
8 Vehicle Code.

9 (2) (A) Ensuring that all pupils in prekindergarten,  
10 kindergarten, and grades 1 to 8, inclusive, board and exit  
11 the appropriate schoolbus at each pupil's assigned  
12 schoolbus stop. Procedures under this paragraph shall  
13 include, but shall not be limited to, procedures for both  
14 of the following:

15 ~~(A)~~

16 (i) paring a current list or an equivalent means by  
17 which a schoolbus driver can ascertain the name and  
18 assigned schoolbus stop for each pupil who rides the  
19 schoolbus.

20 ~~(B)~~

21 (ii) Updating a list or its equivalent prepared pursuant  
22 to subparagraph (A) to reflect any change in ridership.

23 *(B) Nothing in this paragraph requires a county*  
24 *superintendent of schools, the superintendent of a school*  
25 *district, or the owner or operator of a private school that*  
26 *provides transportation to or from a school or school*  
27 *activity, to use the services of an onboard schoolbus*  
28 *monitor to carry out the purposes of this paragraph.*

29 (3) Boarding and exiting a schoolbus at a school or  
30 other trip destination.

31 (b) A copy of a plan prepared pursuant to subdivision  
32 (a) shall be submitted to the Department of the  
33 California Highway Patrol. A copy of any revised plan  
34 shall be provided to the Department of the California  
35 Highway Patrol before the implementation of that  
36 revised plan.

37 ~~SEC. 2.—~~

38 SEC. 3. Section 22112 of the Vehicle Code is amended  
39 to read:

1 22112. (a) On approach to a schoolbus stop where  
2 pupils are loading or unloading from a schoolbus, the  
3 driver of the schoolbus shall activate an approved flashing  
4 amber light warning system, if the bus is so equipped,  
5 beginning 200 feet before the bus stop. The driver shall  
6 operate the flashing red signal lights and stop signal arm,  
7 as required on the schoolbus, at all times when the  
8 schoolbus is stopped for the purpose of loading or  
9 unloading pupils. The flashing red signal lights, amber  
10 warning lights, and stop signal arm system shall not be  
11 operated at any place where traffic is controlled by a  
12 traffic officer. The schoolbus flashing red signal lights,  
13 amber warning lights, and stop signal arm system shall not  
14 be operated at any other time.

15 (b) The driver shall stop to load or unload pupils only  
16 at a schoolbus stop designated for pupils by the school  
17 district superintendent or authorized by the  
18 superintendent for school activity trips.

19 (c) When a schoolbus is stopped on a highway or  
20 private road for the purpose of loading or unloading  
21 pupils, at a location where traffic is not controlled by a  
22 traffic officer or official traffic control signal, the driver  
23 shall do all of the following:

24 (1) Check for approaching traffic in all directions and  
25 activate the flashing red light signal system and stop  
26 signal arm, as defined in Section 25257, if equipped with  
27 a stop signal arm.

28 (2) Before opening the door, ensure that the flashing  
29 red signal lights and stop signal arm are activated, and  
30 that it is safe to exit the schoolbus.

31 (3) Escort all pupils in prekindergarten, kindergarten,  
32 or any of grades 1 to 8, inclusive, who need to cross the  
33 highway or private road. The driver shall use an approved  
34 hand-held "STOP" sign while escorting all pupils.

35 (4) Require all pupils to walk in front of the bus as they  
36 cross the highway or private road.

37 (5) Ensure that all pupils who need to cross the  
38 highway or private road have crossed safely, and that all  
39 other unloaded pupils and pedestrians are a safe distance

1 from the bus and it is safe to move before setting the bus  
2 in motion.

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